

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#27

Applicants: Robert G. Pergolizzi, et al.)
Serial No. 08/479,995) Group Art Unit: 1634
Filed: June 7, 1995) Examiner: Ardin H. Marschel, Ph.D.
Title: ANALYTE DETECTION UTILIZING)
POLYNUCLEOTIDE SEQUENCES,)
COMPOSITIONS, PROCESS AND KIT)

527 Madison Avenue, 9th Floor
New York, New York 10022
August 25, 1999

FILED BY EXPRESS MAIL

Honorable Commissioner
of Patents and Trademarks
Washington, D.C. 20231 **Box DAC**

**Attention: Office of Deputy Assistant
Commissioner for Patents
2121 Crystal Drive
Crystal Park 2 - Suite 913
Arlington, Virginia 22202**

**PETITION TO REVIVE
AN UNINTENTIONALLY ABANDONED
APPLICATION UNDER 37 C.F.R. §1.137(b)**

Dear Sirs:

Applicants submit this Petition to the Commissioner under the provisions of 37 C.F.R. §1.137(b) to revive the above-identified application in which taking action was unintentionally delayed.

The above-identified application became unintentionally abandoned after January 27, 1999, which was the date that a response to the October 27, 1998 Office Action was originally due. A Notice of Abandonment was subsequently mailed on

EXPRESS MAIL CERTIFICATE

"Express Mail" Label No. EL401683029US
Deposit Date August 25, 1999
I hereby certify that this paper and the attachments
herein are being deposited with the United States Postal
Service "Express Mail Post Office to Addressee" service
under 37 CFR 1.10 on the date indicated above and is
addressed to the Commissioner of Patents and
Trademarks, Washington DC 20231.


Ronald C. Fedus
Reg. No. 32,567

AUG 25 99
Date

Pergolizzi et al.
Serial No. 08/479,995
Filed: June 7, 1995
Page 2 (Petition to Revive an Unintentionally Abandoned Application
Under 37 C.F.R. §1.137(b) - August 25, 1999)

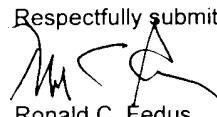
May 25, 1999. A copy of the May 25, 1999 Notice of Abandonment is attached to this Petition as Exhibit A.

It is hereby requested that this application be revived because the entire delay in filing the required reply from the January 27, 1999 due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. That reply in the form of an Amendment Under 37 C.F.R. §1.115 is being submitted concurrently herewith, attached as Exhibit B.

The fee for filing this Petition is \$1,210.00. The Patent and Trademark Office is hereby authorized to charge Deposit Account No. 05-1135 for the requisite fee of \$1,210.00 set forth in 37 C.F.R. §1.17(m). The Patent and Trademark Office is further authorized hereby to charge Deposit Account No. 05-1135 for any other fees required in connection with this Petition and the attached Amendment, or to credit any overpayment thereto.

A duplicate copy of this Petition but without attached Exhibits A and B is also submitted herewith.

Favorable action on this Petition is earnestly solicited.

Respectfully submitted,

Ronald C. Fedus
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Attorney for Applicants

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